IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CASE NO. 5:23-CV-161-DCK

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THIS MATTER IS BEFORE THE COURT on "Defendants' Motion For Summary Judgment Pursuant To Fed.R.Civ.P. 56" (Document No. 25) filed November 5, 2024, and "Defendants' Counsel's Amended Motion To Withdraw" (Document No. 30) filed December 4, 2024. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motions and the record, and noting the parties' complete settlement of this matter, the undersigned will deny as moot the "...Motion For Summary Judgment..." (Document No. 25) and will grant the "...Amended Motion To Withdraw" (Document No. 30).

The mediator, Stephen J. Dunn, filed a "Report Of Mediator" (Document No. 31) notifying the Court that "on December 9, 2024, the parties and their respective attorneys participated in a mediated settlement conference...the result of which was a settlement of all claims." <u>Id.</u> The Report Of Mediator indicated that "[t]he parties will be filing a stipulation of dismissal by no later than February 5, 2025." <u>Id.</u>

Based on the parties' settlement, the undersigned finds immediate disposition of the pending motions to be appropriate.

IT IS, THEREFORE, ORDERED that "Defendants' Motion For Summary Judgment Pursuant To Fed.R.Civ.P. 56" (Document No. 25) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that "Defendants' Counsel's Amended Motion To Withdraw" (Document No. 30) is GRANTED.

SO ORDERED.

Signed: December 10, 2024

David C. Keesler

United States Magistrate Judge